

McGREGOR W. SCOTT
United States Attorney
MARK J. McKEON
MARIANNE A. PANSA
Assistant U.S. Attorneys
4401 Federal Building
2500 Tulare Street
Fresno, California 93721
Telephone (559) 497-4000

FILED
NOV 3 2006
CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

STEVEN M. GROTE

Defendant.

CASE NO.: CR F-01-5359 AWI

STIPULATION AND PROPOSED ORDER
RESCHEDULING TRIAL AND
MOTIONS IN LIMINE

The parties, through their respective counsel, agree upon the following facts:

1. New government counsel has recently substituted into this case.
2. Defense counsel has requested the opportunity to meet with new government counsel to determine whether an agreed upon resolution of this case is possible.

3. Defense counsel is expected to be in trial during most of the November 2006. In addition, one of the government counsel has another trial which has been rescheduled for the beginning of December 2006. Therefore, the parties will not have an opportunity to meet to discuss a possible resolution of this case until mid-December 2006.

4. In addition, because of the complexity of the case and the trial schedules of both parties, the parties agree that they need additional time for effective preparation of this case for trial.

Therefore, the parties agree that the Court can issue the following order:

1. The Jury Trial, presently scheduled for December 5, 2006, shall be rescheduled for March 27, 2007, at 9:00 a.m.

2. The hearing to consider motions and the trial confirmation hearing, presently scheduled for November 20, 2006, shall be rescheduled for March 12, 2007.
3. All motions in limine, with supporting points and authorities, shall be filed and served by 4:00 p.m. on February 12, 2007.
4. Opposition to any motion in limine shall be filed and served by 4:00 p.m. on February 26, 2007.
5. Replies to any opposition shall be filed and served by 4:00 p.m. on March 5, 2006.
6. Pre-trial filings required by the Pre-Trial Order—including witness lists, trial briefs, exhibits, proposed voir dire questions, notice of the use of videotape and computers, and the agreed summary of the case—presently due on November 30, 2006, shall be filed by 4:00 p.m. on March 22, 2006.
7. Time shall be excluded until March 27, 2006 in the interests of justice pursuant to 18 U.S.C. § 3161(h)(8)(A).

Dated: November 3, 2006

McGREGOR W. SCOTT
United States Attorney

By: /s/ Mark J. McKeon

MARK J. McKEON
Assistant U.S. Attorney

Dated: November 3, 2006


Wild, Carter & Tipton

By: /s/ Steven E. Paganetti

STEVEN E. PAGANETTI
Attorneys for Defendant,
Steven M. Grote

IT IS SO ORDERED

Dated: November 13, 2006


HON. ANTHONY ISHII
United States District Judge